

*City of Las Vegas*

**AGENDA MEMO**

**PLANNING COMMISSION MEETING DATE: SEPTEMBER 27, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: TMP-22178 - WILLOWS AT LONE MOUNTAIN -**

**APPLICANT/OWNER: HOWE ARDEN BUSINESS PARK, LLC**

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**\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION: APPROVAL**, subject to:

**Planning and Development**

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, this action is void.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-22927) and the Lone Mountain Master Plan Development Standards.
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.
5. All development is subject to the conditions of City Departments and State Subdivision Statutes.

**TMP-22178 - Conditions Page Two**  
**September 27, 2007 - Planning Commission Meeting**

**Public Works**

6. The Final Map for this site shall include a note stating “All areas not occupied by a building are a Public Drainage Easement to be Privately Maintained by the Homeowners’ Association.”
7. Site development to comply with all applicable conditions of approval for SDR-22927 and all other applicable site-related actions.
8. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

**TMP-22178 - Staff Report Page One**  
**September 27, 2007 - Planning Commission Meeting**

**\*\* STAFF REPORT \*\***

**PROJECT DESCRIPTION**

This is a request for a Tentative Map for a 98-lot condominium subdivision on 4.57 acres at 3540 North Hualapai Way.

This map will subdivide an existing apartment complex that has an approval (SDR-22927) to convert to residential condominiums. The map complies with the approved Site Development Plan Review and the applicable Lone Mountain Master Plan standards. Staff recommends approval.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
05/02/01	The City Council approved a request for a Major Modification to the Lone Mountain Master Development Plan [Z-0033-97(22)] from PCD (Planned Community Development) to MFM (Multi-Family Medium) for the subject property. The City Council also approved a related request for a Site Development Plan Review [Z-0033-97(23)] and waiver of perimeter landscape requirements for a proposed 98-unit apartment complex on the subject property. The Planning Commission and staff recommended approval of both requests.
01/19/05	The City Council approved a request for Site Development Plan Review (SDR-5518) for the conversion of a 98-unit apartment project to a condominium development on the subject property. The Planning Commission and staff recommended approval. The approval expired 01/19/07.
01/27/05	The Planning Commission approved a request for Tentative Map (TMP-5536) for a 98-unit condominium development on the subject property. Staff recommended approval. The approval expired 01/27/07.
08/16/06	Staff approved a Final Map Technical Review (FMP-15288) for a 98-unit condominium development (Willows at Lone Mountain) on the subject property. This map was not recorded within the mandated two-year approval period for the tentative map.
08/09/07	The Planning Commission approved a Site Development Plan Review (SDR-22927) for the conversion of a 98-unit apartment project to a condominium development on the subject property. Staff recommended approval.

**TMP-22178 - Staff Report Page Two**  
**September 27, 2007 - Planning Commission Meeting**

<b><i>Related Building Permits/Business Licenses</i></b>	
02/01/02	A series of building permits (#02001677-02001688) were issued for apartment complex buildings at 3540 North Hualapai Way. Final inspections were completed between 12/26/02 and 04/25/03.
02/15/02	A building permit (#02002672) was issued for three trash enclosures at 3540 North Hualapai Way. A final inspection was completed 05/23/03.
10/15/02	A building permit (#02018589) was issued for carports for 98 parking spaces at 3540 North Hualapai Way. A final inspection was completed 05/21/03.
02/28/03	A business license (A07-01589) was issued for an apartment complex at 3540 North Hualapai Way. A cease and desist order was issued 03/15/07 for outstanding charges. Planning and Development staff did not participate in the last review, which was 08/11/06.
<b><i>Pre-Application Meeting</i></b>	
04/16/07	It was explained that this proposal would be replacing the previous tentative map, which had expired. The applicant later discovered that approval for the Site Development Plan Review on this property also had expired. A tentative map submittal checklist was issued to the applicant.
<b><i>Neighborhood Meeting</i></b>	
A neighborhood meeting is not required for this application, nor was one held.	

<b><i>Field Check</i></b>	
08/27/07	The site is fully developed with existing two-story apartments. There is a gated entrance off the east side of Hualapai Way. The frontage is landscaped with shrubs and groundcover. The apartments are currently called "Tierra Villas at Lone Mountain."

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	5.64
Net Acres	4.57

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Apartments	PCD (Planned Community Development)	PD (Planned Development)
North	Public park	PR-OS (Parks/Recreation/Open Space)	C-V (Civic) under Resolution of Intent to PD (Planned Development)
South	Apartments	PCD (Planned Community Development)	PD (Planned Development)

**TMP-22178 - Staff Report Page Three**  
**September 27, 2007 - Planning Commission Meeting**

East	Apartments	PCD (Planned Community Development)	PD (Planned Development)
West	Single-family residential	PCD (Planned Community Development)	PD (Planned Development)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>			
Lone Mountain	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>			
PD (Planned Development) District	X		Y
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

**DEVELOPMENT STANDARDS**

The Lone Mountain Master Plan does not provide specific setback or minimum lot dimension standards for apartment developments within the MFM (Multi-Family Medium) designation. The construction of this multi-family residential development was completed as approved by the original Site Development Plan Review [Z-0033-97(23)].

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	4.57 acres	4.57 acres	Y
Min. Lot Width	N/A	315 feet	N/A
Min. Setbacks			
• Front (Hualapai Way)	25 feet	25 feet	Y
• Side	20 feet	20 feet	Y
• Corner (Gowan Road)	27 feet	27 feet	Y
• Rear	6 feet	6 feet	Y
Min. Distance Between Buildings	10 feet	10 feet	Y
Max. Building Height	2 stories/30 feet	2 stories/ 30 feet; garages 12 feet	Y
Trash Enclosure	Walled, gated	Walled, gated	Y
Mech. Equipment	Screened	Screened	Y

**TMP-22178 - Staff Report Page Four**  
**September 27, 2007 - Planning Commission Meeting**

*The following residential adjacency standards currently apply to the subject property:*

<b>Residential Adjacency Standards</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
3:1 proximity slope	78-foot setback	135 feet	Y
Adjacent development matching setback	15 feet	25 feet	Y
Trash Enclosure	50 feet from residential	365 feet	Y

*Pursuant to Title 19.10, Title 19.12, and the Lone Mountain Master Plan, the following landscape standards apply:*

<b>Landscaping and Open Space Standards</b>				
<b>Standards</b>	<b>Required</b>		<b>Provided</b>	<b>Compliance</b>
	<b>Ratio</b>	<b>Trees</b>		
Parking Area	1 Tree/6 Spaces	6 Trees (based on 35 uncovered spaces)	9 Trees	Y
Buffer: Min. Trees	1 Tree/20 Linear Feet	64 Trees	64 Trees	Y
<b>TOTAL</b>		70 Trees	73 Trees	Y
Min. Zone Width	15 Feet along Hualapai Way 10 Feet along Gowan Road 6 Feet along interior property lines		7 Feet 7 Feet 6 Feet	Y*
Wall Height	6 Feet		6 Feet	Y

\* The approved landscape plan does not meet standard requirements for perimeter landscaping. The existing apartment complex has a seven-foot wide planter along Hualapai Way and Gowan Road. Title 19.12.010 requires a 15-foot wide landscape planter along a street frontage when an apartment project is across from single family development and a 10-foot wide landscape planter elsewhere along a street frontage, with 24-inch box trees planted every 20 feet. The original Site Development Plan Review [Z-0033-97(23)] approved 05/02/01 by the City Council approved a waiver of perimeter landscaping; therefore, the existing site is in conformance.

<b>Open Space – Lone Mountain Master Plan</b>							
<b>Total Acreage</b>	<b>Density</b>	<b>Required</b>			<b>Provided</b>		<b>Compliance</b>
		<b>Ratio</b>	<b>Percent</b>	<b>Area</b>	<b>Percent</b>	<b>Area</b>	
4.57 acres	98 Units	330 SF/unit or 2% of total	N/A	32,340 SF	N/A	32,973 SF	Y

**TMP-22178 - Staff Report Page Five**  
**September 27, 2007 - Planning Commission Meeting**

*Pursuant to Title 19.10, the following parking standards apply:*

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Multi-family Residential (1 bedroom)	24 units	1.25/unit	30				
Multi-family Residential (2 bedroom)	42 units	1.75/unit	74				
Multi-family Residential (3 bedroom)	32 units	2.00/unit	64				
Guest parking	98 units	1/6 units	17				
SubTotal	98 units		179	6	180	6	Y
TOTAL			185		186		Y

## ANALYSIS

The Tentative Map proposes to subdivide existing apartment units into condominium units. Access to the subject site will be from one driveway off Hualapai Way and an exit-only driveway off Gowan Road. Access aisles to the covered and uncovered parking areas range from 43 feet to 61 feet in width. The buildings demonstrate compliance with all residential adjacency requirements. All perimeter walls are existing and comply with Code requirements. The development was previously approved for conversion to condominiums (SDR-5518); however, action was not taken to convert within the two-year approval period.

As a condition of approval from the most recent Site Development Plan Review (SDR-22927), the applicant shall provide proof of compliance with Nevada Revised Statutes by submitting a notice of intent to convert to each tenant. The applicant must also provide each tenant with notice of any and all future public hearings regarding the conversion or mapping process.

## FINDINGS

- General information**

The rectangular-shaped site consists of 13 two-story buildings and one centrally located pool. Twelve single-car garages and covered parking spaces are provided for the residents, as well as uncovered parking for guests. The project exceeds the parking standards as required by Title 19.04 and Title 19.10.

**TMP-22178 - Staff Report Page Six**  
**September 27, 2007 - Planning Commission Meeting**

The approved site plan depicts community facilities, including a recreation building and outdoor pool, at the entrance to the site off Hualapai Way. These amenities will be at most approximately 300 feet from the most distant apartments, and therefore centrally accessible to residents of all buildings on the site.

- **Cross Section**

East-west and north-south cross section drawings have been submitted. They show the existing graded site and finished floor elevations of the existing buildings. Existing five to six-foot CMU retaining and screening walls are located at the south and east property lines. A wrought iron fence measuring six feet maximum is located at the north and west property lines. All walls are in compliance with Title 19 requirements.

- **Trails**

No required trails are adjacent to the subject property.

- **Special Planning Conditions of Approval (from SDR-22927)**

1. All development shall be in conformance with the approved site plan, landscape plan and building elevations of Site Development Plan Review [Z-0033-97(23)] except as amended by conditions herein.
2. All units, as well as the common ownership facilities, shall be brought into compliance with all applicable state and local building, housing, mechanical and fire codes adopted for use by the city at the time of original construction.
3. Each dwelling unit shall be served by gas and/or electric services completely within the lot lines or ownership space of each separate unit. Easements for gas and/or electric lines shall be provided in the common ownership area where lateral service connections shall take place. Each dwelling unit shall be separately metered for gas and/or electricity. A plan for equitable sharing of communal water metering, where required, shall be included in the covenants, conditions and restrictions.
4. All new on-site and off-site minor utilities except switch boxes, transformer boxes and cap banks across property frontage shall be underground.
5. The applicant shall provide a building and grounds condition report prepared by a licensed civil engineer or licensed architect to the Planning and Development Department for review and approval upon application for Tentative Map approval. This report shall contain an evaluation of the structural condition of each building in the project, and an evaluation of the condition of all site features such as parking areas, accessory buildings, landscaped areas, driveways, sidewalks, carports, any amenities, fences and utility systems. A copy of the report shall be provided to all prospective buyers.



**TMP-22178 - Staff Report Page Seven**  
**September 27, 2007 - Planning Commission Meeting**

6. Upon application for a Tentative Map, the applicant shall provide proof that a notice of intent to convert has been delivered to each tenant as required by Nevada Revised Statutes. The applicant is further responsible for providing each tenant with notice of any and all future public hearings held regarding the conversion or mapping process.
7. Any remodeling or construction work in conjunction with the conversion of the apartments shall require permits from the Department of Building and Safety, with the exception of painting, carpeting, or other similar finish work.
8. The conversion from apartments to condominiums shall require the payment of additional sewer connection fees. The additional fees shall be paid prior to the recordation of the Final Map. Proof of payment shall be required upon submittal of the Final Map.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

4

**NOTICES MAILED** N/A

**APPROVALS** 0

**PROTESTS** 0